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CHEMICAL ENGINEERING

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FAX RECEIVED  
JUN 23 2003  
TC 1700

**Fax To: Margaret B. Medley (703) 872-9310**

**Per:** Application/Control Number: 09/736,669

**Subject:** Outline of Subject of Planned Telephone Call  
I anticipate Calling Monday Morning, 6/23/03

*Gal J Suppes*  
6/20/03

**From:** Galen J. Suppes, Ph.D., P.E., Inventor, 573-884-0562, Fax 573-884-4940

Please allow me to introduce myself. I am the inventor who will be continuing with this patent application. You should have received a "Request for Withdrawal As Attorney or Agent" dated April 18, 2003.

In our conversations, I ask your understanding and patience. Although I have successfully filed and received patents by myself previously, I am stretching my expertise when it comes to patent law and procedures. However, in the case of this application I believe many of your current objections could have been resolved through discourse with me since I have a greater competency in the chemistry than my previous patent attorney.

**ITEM 1:**

I ask that you, in the course of our telephone conversation, specifically identify the courses of action open to me. Do they include any or all of the following?

Us jointly agreeing to changes in claims that will be allowed.

My presentation of a case of the claim as is with the anticipation that I will reverse your previous decision.

The reconsideration of a claim previously not allowed and cancelled in my attorney's previous response.

My submission of a new claim based on our conversation.

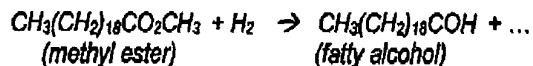
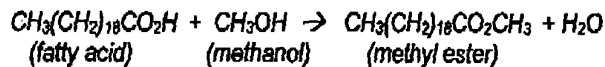
**ITEM 2:**

All my discussions will focus on claims 1, 29, and 37 with the objective of obtaining two independent claims. Once agreeing to two independent claims I can follow up in my written response to tie up any loose ends on the dependent claims.

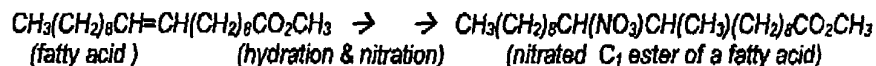
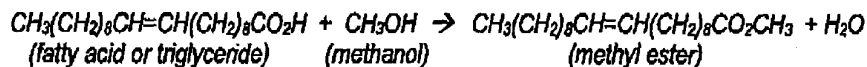
Per your Office Action of 3/25/03, Page 2, Last Full Paragraph stating "the same reasons set forth pages 4-6.." of your previous Office Action of 6/02/02. Per your Office Action of 6/02/02, Page 5, Lines 1-2 stating "Patentee further teaches a process for esterification of the fatty acids produced by hydrolysis, column 4, lines 19-35." I respond as follows:

*Patentee DOES NOT teach a process based on "HYDROLYSIS". The patentee SPECIFICALLY teaches a process based on "HYDROGENATION". Patentee teaches esterification with methanol; HOWEVER, this methyl ester is destroyed in the subsequent "HYDROGENATION" as taught by the patentee.*

Poirier et al did this:



We (the applicant) do this (using an example unsaturated fatty acid):



Poirier et al may have a methyl ester INTERMEDIATE, but the final product is a primary nitrate referred to as a "fatty alcohol nitrate ester". Specifically, the final product is not a nitrated C<sub>1</sub>-C<sub>4</sub> ester of a fatty acid.

This explanation should clarify how our chemistry and products are different from those of Poirier et al. Once we get past this, I am hoping we can agree to an approach to modify claim 1 or claims 29 and 37 so as to allow these independent claims.

I wish to discuss the above differences and a method to proceed with you on Monday.